

1 Thomas

2 A. I said to them, you pushed me.

3 Q. Who did you say that to, the female
4 worker or others?

5 A. To the female. To the female
6 because I'm assuming she was the manager.

7 Q. Did you ever learn her name?

8 A. I don't know.

9 Q. Can you describe her?

10 A. She was a nice looking lady. I
11 think she was Spanish. Around thirty years
12 old.

13 Q. Other than this female worker, did
14 you speak with any other workers at the store?

15 A. No.

16 Q. When the female came over to you,
17 what was the first thing you said to her?

18 A. I said, you hit me. I said, the
19 security people hit me.

20 Q. How did you know that they were
21 security people?

22 A. Because they were chasing after the
23 thief. They must have been working in the
24 store.

25 Q. Did she say anything to you when

1 Thomas

2 you said that?

3 A. No. I don't even remember.

4 Q. That is fine. If you don't
5 remember, you tell us.

6 Did you say anything else to this
7 lady?

8 A. No. I said thank you for the
9 bottle of Danasi.

10 Q. Did this lady ask you anything?

11 A. No.

12 Q. Did she ask you if you were hurt?

13 A. Yes. She called the police and the
14 ambulance.

15 Q. She told you that?

16 A. My husband was saying I want police
17 and I want ambulance to take her to the
18 hospital.

19 Q. When this lady asked you if you
20 were hurt, what did you say in response?

21 A. I said they hit me.

22 Q. Did you say where you were hurt?

23 A. All over here (indicating).

24 MR. WHITTON: Indicating her right
25 arm and hand.

1 Thomas

2 Q. Anywhere else beside your right
3 arm/hand?

4 A. No. But I was holding onto my head
5 so I don't injure my head and die.

6 MR. WHITTON: Move to strike the
7 non-responsive portions.

8 Q. Do you remember anything else you
9 said to the lady in Circuit City?

10 A. I wanted to go to the hospital to
11 see what was going on.

12 Q. Is that a no, you said nothing else
13 to her?

14 A. No.

15 Q. Do you remember anything else this
16 lady at Circuit City said to either you or your
17 husband?

18 A. But that particular night a lady
19 called me and told me they put her in jail.

20 Q. That was on the telephone?

21 A. It was around 12:30 midnight.

22 Q. So that was a telephone at your
23 home, right?

24 A. Yes.

25 Q. Do you know if that was the same

1 Thomas

2 lady you had spoken to at the store?

3 A. I don't know because I was in pain.

4 MR. WHITTON: Move to strike the
5 non-responsive portions.

6 Q. Did you know this lady was from
7 Circuit City or was she from the police
8 department or something else?

9 A. I don't know.

10 Q. Did your husband speak with this
11 female worker other than to ask that the police
12 and ambulance be called?

13 A. Only that.

14 Q. Since that time, has your husband
15 ever told you he said something else to any of
16 the workers at Circuit City?

17 A. He didn't even get involved. No.

18 Q. Do you remember if anyone said
19 anything to your husband?

20 A. No.

21 Q. Have you spoken to your husband
22 about what happened since that day?

23 A. Well, I'm in pain and I go to the
24 doctor all the time, Dr. Kyriakides for therapy
25 until now.

1 Thomas

2 MR. SEARS: That is not the
3 question he asked.

4 MR. WHITTON: Move to strike the
5 non-responsive.

6 Q. Has your husband ever told you what
7 he saw happened?

8 A. He saw that I was yelling for help
9 and he was ahead of me.

10 Q. Did your husband see the person or
11 people that pushed you?

12 A. No because my husband always walks
13 ahead like this and we just wanted to leave. I
14 didn't know I'm going to get injured.

15 MR. WHITTON: Move to strike the
16 non-responsive portions.

17 Q. So your husband had his back to you
18 and you were following him out, right?

19 A. Yes. But I was yelling help, help
20 and I was yelling out his name to come and help
21 me because I had gotten injured and he couldn't
22 believe it.

23 MR. WHITTON: Move to strike the
24 non-responsive portions.

25 Q. Did you speak with any of the

1 Thomas

2 police that arrived?

3 A. No, but I think my husband was
4 talking with them.

5 Q. Did your husband ever tell you what
6 he said to the police or the police said to
7 him?

8 A. He was just -- it's just as he was
9 standing there in a minute. He was very upset
10 with what happened to me.

11 MR. WHITTON: Move to strike.

12 Q. Did your husband ever tell what you
13 the police said to him?

14 A. No.

15 Q. From the chair, did you go into a
16 little room, I believe you said earlier?

17 A. Yes. It was the office.

18 Q. Why did you go into the office?

19 A. They took me in there.

20 Q. Circuit City people asked you to
21 come into the office or the police did or
22 someone else?

23 A. I don't recall if it was the police
24 or the Circuit City people. This had never
25 happened to me before.

1 Thomas

2 Q. Inside the office was the female
3 thief; is that right?

4 A. Actually, they had her in a
5 different office with the police.

6 Q. Did you do something inside this
7 office or did you just sit?

8 A. They checked my blood pressure and
9 stuff like that.

10 MR. WHITTON: Off the record.

11 (Discussion held off the record.)

12 MR. SEARS: It seems that the
13 plaintiff is able to speak both English
14 and in Greek. We're having some
15 difficulty with the answers and
16 questions.

17 What we're going to do is we're
18 going to try, on consent, we're going to
19 try to do it in English. The plaintiff
20 herself indicated that she's
21 understanding everything that is going
22 on in English. We're going to try it.
23 If there is any difficulty, she's aware
24 she's going to ask the Greek
25 interpreter.

1 Thomas

2 MR. WHITTON: The Interpreter is
3 here and will remain here.

4 Q. Mrs. Thomas, when did the ambulance
5 people get there? While you were still in the
6 chair or while you were in the office?

7 A. I think I was in the office.

8 Q. Did you speak with the ambulance
9 people?

10 A. No. They didn't -- can I speak
11 English?

12 MR. SEARS: You're speaking
13 English.

14 A. They didn't want to put my husband
15 in the ambulance and I was crying. I said I
16 want my husband to come with me in the
17 hospital. Who is going to bring me home. Any
18 way and then they put me -- I told them to take
19 me to St. John's Hospital. They say no. We're
20 going to take you to Elmhurst. So they put
21 some ice on the hand.

22 Q. Your right hand and arm?

23 A. Yes. Yes. All over and still I
24 had pain (indicating). They left me there for
25 five hours.

1 Thomas

2 Q. In the hospital?

3 A. Right.

4 Q. Hold on. We'll get there.

5 The ambulance people, you told them
6 that your right arm and hand is what was
7 paining you; is that right?

8 A. Yes.

9 Q. Was there any other part of your
10 body that you were complaining was paining you?

11 A. No. They asked me.

12 Q. Before you left Circuit City, did
13 anyone have you write anything down about what
14 happened?

15 A. I don't think so. I don't
16 remember.

17 Q. Do you remember if either workers
18 at Circuit City or the police officers were
19 talking to you and writing things down while
20 they were talking to you?

21 A. Maybe they did.

22 Q. I don't want you to guess. If you
23 don't remember --

24 A. I don't remember.

25 Q. Perfect.

1 Thomas

2 Other than that telephone call that
3 you received later that night, did the police
4 ever contact you again about what happened?

5 A. No.

6 Q. Did anyone from the District
7 Attorney's Office ever contact you about what
8 happened?

9 A. Yes. Yes.

10 Q. Did they contact you by phone or in
11 writing?

12 A. Letter.

13 Q. Do you still have the letter?

14 A. Twice.

15 I think I have them at home.

16 MR. WHITTON: I'm going to make a
17 request to be provided with copies of
18 them.

19 I ask that you find them and turn
20 them over to your attorney.

21 A. He was very respectful in the
22 letter.

23 Q. Do you remember what the letter
24 said?

25 A. Tell you the truth, I read it and

1 Thomas

2 then I put it in a file. I don't remember
3 where is that file, but also the -- the Jewish
4 ladies wrote me a letter also to help me to
5 find an attorney. To help me, but I said I
6 have already.

7 Q. What lady wrote you that?

8 A. Jewish center. It was a Jewish
9 center for the elderly in Queens Boulevard.

10 Q. Other than that telephone call late
11 at night, did anyone from Circuit City ever
12 contact you again?

13 A. No.

14 Q. Did you receive anything in
15 writing?

16 A. Never.

17 Q. Did you ever go back to the Circuit
18 City store?

19 A. No, I didn't go.

20 Q. Has your husband gone back --

21 A. Nobody in my family.

22 Q. Nobody in your family has ever gone
23 back to the store?

24 A. Nobody.

25 Q. Has anyone from your family spoken

1 Thomas

2 with anybody from Circuit City?

3 A. Nobody.

4 (A brief was taken.)

5 Q. Ma'am, just before the break you
6 told me about the two letters from the District
7 Attorney's Office.

8 Did you ever actually speak with
9 anyone from the District Attorney's Office?

10 A. No.

11 Q. On the telephone, did you speak
12 with anyone from that office?

13 A. No.

14 Q. Do you remember what those letters
15 said?

16 A. Yes.

17 Q. What did three say?

18 A. Sorry for what happened and things
19 like that. Twice.

20 Q. Other than what you told me, do you
21 remember anything else that anyone from Circuit
22 City said to you that day?

23 A. No.

24 Q. When you were pushed, did you hit
25 anything? Did any part of your body hit